

L. Grant Foster, 7202
gfoster@hollandhart.com
Brett L. Foster, 6089
bfoster@hollandhart.com
Mark A. Miller, 9563
mamiller@hollandhart.com
HOLLAND & HART LLP
222 S. Main Street, Suite 2200
Salt Lake City, Utah 84101
Telephone: (801) 799-5800
Facsimile: (801) 799-5700

Attorneys for Plaintiff
K-TEC, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

K-TEC, INC. , a Utah corporation, Plaintiff, vs. VITA-MIX CORP. , an Ohio corporation, Defendant.	PLAINTIFF'S MOTION FOR A PERMANENT INJUNCTION Civil Case No. 2:06-CV-108 Chief Judge Tena Campbell Magistrate Judge Paul M. Warner
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Plaintiff K-TEC, Inc. ("K-TEC") hereby moves this Court for a permanent injunction pursuant to 35 U.S.C. § 283 to prevent continued infringement by Defendant Vita-Mix Corporation ("Vita-Mix"). K-TEC has suffered irreparable injury as a consequence of Vita-Mix's infringement; remedies available at law, such as monetary damages, are inadequate to compensate for that injury; the balance of hardship favors K-TEC and the equitable remedy of a permanent injunction; and the public interest would not be disserved by a permanent injunction

in this case. Accordingly, a permanent injunction is warranted under the circumstances of this case.

This Motion is supported by a contemporaneously filed supporting memorandum. The proposed Permanent Injunction is attached hereto as Exhibit A.

Dated this 16th day of July, 2010.

HOLLAND & HART LLP

/s/ Brett L. Foster

L. Grant Foster

Brett L. Foster

Mark A. Miller

Attorneys for Plaintiff

K-TEC, Inc.